

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

CRIMINAL NO. 05-10001-WGY

UNITED STATES

v.

GREGORY R. WRIGHT

**DEFENDANT'S MOTION FOR COURT ORDER
DIRECTING PRODUCTION OF RECORDS BY THE
BOSTON POLICE DEPARTMENT**

Defendant Gregory Wright hereby moves this Court to order the Boston Police Department's Office of the Legal Advisor to produce the following records forthwith:

Records of any and all Mobile Data Terminal (MDT) activity relative to the arrest of Gregory Wright on 11/08/04 (cc no. 040608531), including, but not limited to, printouts of pertinent MDT activity in the following units between the hours of 19:00 and 21:00 (7:00 to 9:00 p.m.) On 11/08/04: the VK04; VK09; VK02; and VK08. The suspect vehicle was a 2002 Oldsmobile Alero, MA registration 4812WP. The individual suspects were: Gregory Wright, d.o.b. 3/28/1979; David Foy (vehicle operator); and Omar Edwards, d.o.b. 10/28/1978.

As grounds for this motion, the defendant states that such records may contain important information bearing on the legality of the search and seizure of a firearm in this case. The defendant further states as follows:

1. On May 17, 2005, the defendant, through counsel, requested the above-listed records from the Boston Police Department's Office of the Legal Advisor, in writing, pursuant to the Freedom of Information Act (FOIA).

2. As of June 1, 2005, that office had requested the records from various other departments within the Boston Police Department, and was awaiting responses. The Office of the Legal Advisor could not say how long it would take to compile a response to the FOIA request.
3. On June 2, 2005 the defendant, through counsel, served the Boston Police Department's Office of the Legal Advisor with a subpoena for the above-listed records, commanding production by June 10, 2005, the date of the hearing on the defendant's motion to suppress the seized firearm as evidence against him.
4. On June 6, 2005, the Boston Police Department's Office of the Legal Advisor advised undersigned counsel that it would not provide the subpoenaed records without a court order.
5. As of June 6, 2005, the Boston Police Department's Office of the Legal Advisor had made no further progress on the defendant's FOIA request.

The defendant submits herewith an affidavit of counsel with exhibits, as well as a proposed Order for the Court's signature.

Respectfully submitted,
GREGORY R. WRIGHT
By his attorneys,

/s/

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